

PROCEEDINGS/MINUTES OF CITY COUNCIL

...April 29, 2015...

Council convened at 2:03 p.m., Mayor John Cranley Presiding. Present were Councilmembers Flynn, Mann, Murray, Seelbach, Simpson, Sittenfeld (@2:05 p.m.), Smitherman, Winburn (@2:04 p.m.) and Young.

Also in attendance were City Manager Harry Black, City Solicitor Paula Boggs Muething and Clerk of Council Melissa Autry.

Council observed a moment of silent prayer and recited the Pledge of Allegiance to the Flag.

There being no objection, Minutes of the previous session of Council were ordered Filed.

Items on the Council Calendar and items presented By-Leave were disposed of as follows:

MAYOR CRANLEY

Item #: 201500594

APPOINTMENT, submitted by Mayor John Cranley, subject to the consent of Council, I hereby recommend the appointment of Vanessa Wong to the Community Development Advisory Board.

*** Held one week.

Status/Recommendations:

HELD ONE WEEK PURSUANT TO RULE OF COUNCIL

Item #: 201500595

APPOINTMENT, submitted by Mayor John Cranely, subject to the consent of Council, I hereby recommend the appointment of Pete Witte to the Community Development Advisory Board.

*** Held one week.

Status/Recommendations:

HELD ONE WEEK PURSUANT TO RULE OF COUNCIL

Item #: 201500597

APPOINTMENT, submitted by Mayor John Cranley, subject to the consent of Council, I hereby recommend the appointment of Matt Hemberger to the Community Development Advisory Board.

*** Held one week.

Status/Recommendations:

HELD ONE WEEK PURSUANT TO RULE OF COUNCIL

Item #: 201500596

REAPPOINTMENT, submitted by Mayor John Cranley, subject to the consent of Council, I hereby recommend the re-appointment of Kreg Keesee to the Board of the Southwest Ohio Regional Transit Authority (SORTA).

*** Held one week.

Status/Recommendations:

HELD ONE WEEK PURSUANT TO RULE OF COUNCIL

MR. MANN

Item #: 201500583

COMMUNICATION, dated 4/26/2015 submitted by Vice Mayor David Mann, from Mary Jenkins, President, Westwood Civic Association, regarding Neighborhood Support Program Funding.

Status/Recommendations:

BUDGET AND FINANCE COMMITTEE

Item #: 201500584

COMMUNICATION, dated 4/27/2015 submitted by Vice Mayor David Mann, from Shannon Moore, Pleasant Ridge Community Council, regarding NSF funding to \$10,000 for each city neighborhood.

Status/Recommendations:

BUDGET AND FINANCE COMMITTEE

Item #: 201500585

COMMUNICATION, dated 4/21/2015 submitted by Vice Mayor David Mann, from Dave Petersen, West End Community Council President, regarding proposed expanded Dayton Street Historic District designation in the West End.

Status/Recommendations:

NEIGHBORHOODS COMMITTEE

Item #: 201500586

COMMUNICATION, dated 4/24/2015 submitted by Vice Mayor David Mann, from Eric Flamme, Mt. Lookout Community Council, regarding increasing NSP funds to \$10,000 for each neighborhood.

Status/Recommendations:

BUDGET AND FINANCE COMMITTEE

Item #: 201500589

COMMUNICATION, dated 3/30/2015 submitted by Vice Mayor David Mann, from Craig Hudson, President and Gary Bryson, Board Member, The Downtown Residents

Council, regarding new extended parking meter hours to 9:00 pm.

Status/Recommendations:

NEIGHBORHOODS COMMITTEE

Item #: 201500590

COMMUNICATION, dated 4/14/2015 submitted by Vice Mayor David Mann, from Kevin Rudemiller, President, Camp Washington Community Council regarding increasing NSP funding to \$10,000 for each neighborhood.

Status/Recommendations:

BUDGET AND FINANCE COMMITTEE

Item #: 201500587

MOTION, submitted by Vice Mayor David Mann, MOVE that Administration provide a report on the current state of accessibility in our city's taxi fleet and licensed ride share businesses, including Uber and Lyft. As part of the report, the Administration should review policy changes that would increase mobility opportunities for those in need of accessible vehicle services.

Status/Recommendations:

RULES & AUDIT COMMITTEE

Item #: 201500588

MOTION, submitted by Vice Mayor David Mann, that the Administration install a police camera at the intersection Baltimore Street and McHenry Street in East Westwood. (STATEMENT ATTACHED)

Status/Recommendations:

LAW & PUBLIC SAFETY COMMITTEE

MS. MURRAY
MR. SEELBACH
MR. SMITHERMAN
MR. FLYNN
MR. MANN

Item #: 201500591

MOTION, dated 4/28/2015 submitted by Councilmembers Murray, Seelbach, Smitherman, Flynn and Vice Mayor Mann, WE MOVE that the Administration apply for, accept and appropriate a grant from the Local Government Innovation Fund (LGIF) administered by the State of Ohio in order to finance the cost of a feasibility study on whether a Regional Municipal Garage would provide a greater level of fleet efficiency for the City of Cincinnati and how it could possibly be shared with public entities across Hamilton County. (STATEMENT ATTACHED)

Status/Recommendations:

BUDGET AND FINANCE COMMITTEE

MR. SMITHERMAN

Item #: 201500593

ORDINANCE, (EMERGENCY) (Version D) submitted by Councilmember Smitherman, from Paula Boggs Muething, City Solicitor on 4/29/2015, MODIFYING the provisions of Chapter 887, "Private Police" of the Cincinnati Municipal Code by amending Sections 887-2, "Application for Private Police Commission and License Fees," 887-5, "Term of Commission," 887-23, "Application for License-License Fees," and 887-27, "Term of License"; and REPEALING Chapter 887, "Private Police," of the Cincinnati Municipal Code effective April 13, 2016.

Status/Recommendations:

PASSED EMERGENCY

*** PASSED EMERGENCY 0100-2015

MR. SITTENFELD Y

MR. SMITHERMAN Y

MR. WINBURN N

MR. YOUNG Y

MR. FLYNN Y

MR. MANN Y

MS. MURRAY Y

MR. SEELBACH Y

MS. SIMPSON Y

CITY MANAGER

Item #: 201500422

ORDINANCE submitted by Harry Black, City Manager, on 4/8/2015, authorizing the City Manager to execute a Property Sale Agreement with Dowdell C. Cobb and Latressa D. Cobb, owners of the property located at 5515 Ebersole Avenue in Madisonville, for the City's sale, for fair market value, of an unimproved portion of the adjoining public right-of-way known as Ebersole Avenue, which property is not needed for a municipal purpose.

Status/Recommendations:

BUDGET AND FINANCE COMMITTEE

Item #: 201500576

ORDINANCE submitted by Harry Black, City Manager, on 4/29/2015, authorizing the transfer of the sum of \$2,000 from the General Fund contractual services account no. 050x017x7200 to the General Fund personnel services account no. 050x017x7100 for the purpose of adjusting the office budget of Councilmember Wendell Young.

Status/Recommendations:

BUDGET AND FINANCE COMMITTEE

Item #: 201500578

ORDINANCE (EMERGENCY) submitted by Harry Black, City Manager, on 4/29/2015, authorizing the City Manager to accept donations on a continuing basis from the Cincinnati Police Foundation for use by the Cincinnati Police Department.

Status/Recommendations:

BUDGET AND FINANCE COMMITTEE

Item #: 201500545

REPORT, dated 4/29/2015, submitted by Harry Black, City Manager, regarding free energy audit. (SEE DOCUMENT #201500146 FOR ADOPTED MOTION)

Status/Recommendations:

EDUCATION & ENTREPRENEURSHIP COMMITTEE

Item #: 201500546

REPORT, dated 4/29/2015, submitted by Harry Black, City Manager, regarding Special Event Permit Application for The O.F.F. Market.

Status/Recommendations:

FILE

*** FILED

Item #: 201500547

REPORT, dated 4/29/2015, submitted by Harry Black, City Manager, regarding Special Event Permit Application for Music on Madison.

Status/Recommendations:

FILE

*** FILED

Item #: 201500548

REPORT, dated 4/29/2015, submitted by Harry Black, City Manager, regarding Special Event Permit Application for Second Sunday on Main.

Status/Recommendations:

FILE

*** FILED

Item #: 201500556

REPORT, dated 4/29/2015, submitted by Harry Black, City Manager, regarding Special Event Permit Application for Ohio River Paddlefest.

Status/Recommendations:

FILE

*** FILED

Item #: 201500557

REPORT, dated 4/29/2015, submitted by Harry Black, City Manager, regarding Special Event Permit Application for Ault Park Concours d'Elegance.

Status/Recommendations:

FILE

*** FILED

Item #: 201500558

REPORT, dated 4/29/2015, submitted by Harry Black, City Manager, regarding benefits of electric vehicles.

Status/Recommendations:

EDUCATION & ENTREPRENEURSHIP COMMITTEE

Item #: 201500570

REPORT, dated 4/29/2015, submitted by Harry Black, City Manager, regarding Special Event Permit Application for Girls on the Run Greater Cincinnati 5K.

Status/Recommendations:

FILE

*** FILED

Item #: 201500571

REPORT, dated 4/29/2015, submitted by Harry Black, City Manager, regarding Special Event Permit Application for Taste of Cincinnati.

Status/Recommendations:

FILE

*** FILED

Item #: 201500574

REPORT, dated 4/29/2015, submitted by Harry Black, City Manager, regarding SORTA Procurement and Confidentiality. (SEE DOCUMENT #201500335 FOR MOTION)

Status/Recommendations:

TRANSPORTATION & REGIONAL COOPERATION COMMITTEE

Item #: 201500575

REPORT, dated 4/29/2015, submitted by Harry Black, City Manager, regarding Department Finance reports for the month ended March 31, 2015.

Status/Recommendations:

BUDGET AND FINANCE COMMITTEE

Item #: 201500579

REPORT, dated 4/29/2015, submitted by Harry Black, City Manager, regarding Special Event Permit Application for Bunbury Music Festival.

Status/Recommendations:

FILE

*** FILED

Item #: 201500580

REPORT, dated 4/29/2015, submitted by Harry Black, City Manager, regarding Parking Meter and Ticket Revenue Data. (SEE DOCUMENT #201500314 FOR MOTION)

Status/Recommendations:

BUDGET AND FINANCE COMMITTEE

BUDGET AND FINANCE COMMITTEE

Item #: 201500427

ORDINANCE submitted by Harry Black, City Manager, on 4/8/2015, authorizing the City Manager to apply for a grant in an amount of up to \$5,000.00 from the Ohio Department of Natural Resources, Division of Wildlife, Aquatic Education Grant Program to be used for the Cincinnati Recreation Commission's "Hooked on Fishing, Not on Drugs" program.

Status/Recommendations:

PASS

*** PASSED 0092-2015

MR. SITTENFELD A

MR. SMITHERMAN Y

MR. WINBURN Y

MR. YOUNG Y

MR. FLYNN Y

MR. MANN Y

MS. MURRAY Y

MR. SEELBACH Y

MS. SIMPSON Y

Item #: 201500434

ORDINANCE (EMERGENCY) submitted by Harry Black, City Manager, on 4/8/2015, authorizing the City Manager to execute a Property Sale and Development Agreement with Peter Cremer North America, L.P. for the sale and development of approximately 6 acres of land along River Road in the neighborhood of Sedamsville in Cincinnati.

Status/Recommendations:

PASS EMERGENCY
*** PASSED EMERGENCY 0098-2015
MR. SITTENFELD Y
MR. SMITHERMAN Y
MR. WINBURN Y
MR. YOUNG Y
MR. FLYNN Y
MR. MANN Y
MS. MURRAY Y
MR. SEELBACH Y
MS. SIMPSON Y

Item #: 201500479

ORDINANCE submitted by Harry Black, City Manager, on 4/15/2015, approving and authorizing the City Manager to execute a Community Reinvestment Area Tax Exemption Agreement with Avila Magna Group, LLC, thereby authorizing an 8-year tax exemption for 100% of the value of the improvements made to real property located at 1509 Republic Street in the Over-the-Rhine neighborhood of Cincinnati in connection with the remodeling of the building located on the property into 5 units of residential housing, which remodeling shall be completed at a total construction cost of approximately \$860,000.

Status/Recommendations:

PASS

*** PASSED 0093-2015
MR. SITTENFELD Y
MR. SMITHERMAN Y
MR. WINBURN Y
MR. YOUNG Y
MR. FLYNN Y
MR. MANN Y
MS. MURRAY Y
MR. SEELBACH Y
MS. SIMPSON Y

Item #: 201500489

ORDINANCE submitted by Harry Black, City Manager, on 4/15/2015, authorizing the transfer of the sum of \$3,625 from the General Fund contractual services account no. 050x015x7200 to the General Fund personnel services account no. 050x015x7100 for the purpose of adjusting the office budget of Vice Mayor David Mann.

Status/Recommendations:

PASS

*** PASSED 0094-2015
MR. SITTENFELD Y
MR. SMITHERMAN Y
MR. WINBURN Y
MR. YOUNG Y
MR. FLYNN Y
MR. MANN Y
MS. MURRAY Y
MR. SEELBACH Y
MS. SIMPSON Y

Item #: 201500491

ORDINANCE submitted by Harry Black, City Manager, on 4/15/2015, authorizing the City Manager to apply for, accept, and appropriate a grant of up to \$5,000 through the Ohio Department of Public Safety, Division of Emergency Medical Services (EMS) to provide funding to improve and enhance EMS operations and purchase EMS Board-approved training and equipment.

Status/Recommendations:

PASS

*** PASSED 0095-2015

MR. SITTENFELD	Y
MR. SMITHERMAN	Y
MR. WINBURN	Y
MR. YOUNG	Y
MR. FLYNN	Y
MR. MANN	Y
MS. MURRAY	Y
MR. SEELBACH	Y
MS. SIMPSON	Y

Item #: 201500492

ORDINANCE (EMERGENCY) submitted by Harry Black, City Manager, on 4/15/2015, authorizing the City Manager to accept and appropriate nine grants worth approximately \$6,690,825 for the FY 2014 Continuum of Care Grant Program, CFDA #14.267, (formerly known as the Stewart B. McKinney Act Shelter Plus Care Program); and AUTHORIZING the transfer and appropriation of \$6,690,825 to various Continuum of Care Program Fund 410 project accounts according to the attached Schedule of Transfer, for the purpose of providing tenant-based rental assistance to homeless, low-income clients with disabilities as well as administrative support to the program in accordance with the provisions of the Department of Housing and Urban Development Continuum of Care Program.

Status/Recommendations:

PASS EMERGENCY

*** PASSED EMERGENCY 0099-2015

MR. SITTENFELD	Y
MR. SMITHERMAN	Y
MR. WINBURN	Y
MR. YOUNG	Y
MR. FLYNN	Y
MR. MANN	Y
MS. MURRAY	Y
MR. SEELBACH	Y
MS. SIMPSON	Y

Item #: 201500532

ORDINANCE submitted by Harry Black, City Manager, on 4/22/2015, authorizing the City Manager to accept and appropriate a grant of up to \$100,000 from the State of Ohio Department of Public Safety, Office of Criminal Justice Services to provide funding for a traffic enforcement program administered by the Cincinnati Police Department.

Status/Recommendations:

PASS

*** PASSED 0096-2015

MR. SITTENFELD	Y
MR. SMITHERMAN	Y
MR. WINBURN	Y

MR. YOUNG	Y
MR. FLYNN	Y
MR. MANN	Y
MS. MURRAY	Y
MR. SEELBACH	Y
MS. SIMPSON	Y

Item #: 201500581

ORDINANCE (B VERSION), submitted by Councilmember Flynn, on 04/27/2015, AUTHORIZING the transfer of the sum of \$3,651 from the General Fund contractual services account no. 050x014x7200 to the General Fund personnel services account no. 050x014x7100 for the purpose of adjusting the office budget of Councilmember Kevin Flynn.

Status/Recommendations:

PASS

*** PASSED 0097-2015

MR. SITTENFELD	Y
MR. SMITHERMAN	Y
MR. WINBURN	Y
MR. YOUNG	Y
MR. FLYNN	Y
MR. MANN	Y
MS. MURRAY	Y
MR. SEELBACH	Y
MS. SIMPSON	Y

Item #: 201500481

RESOLUTION (LEGISLATIVE) submitted by Harry Black, City Manager, on 4/15/2015, declaring the need for repairs in the neighborhood of Oakley to sidewalks, sidewalk areas, curbs and/or gutters and the levying of assessments for the cost of such repairs on the abutting properties in accordance with Cincinnati Municipal Code Sections 721-149 through 721-169.

Status/Recommendations:

PASS

*** PASSED 0036-2015

MR. SITTENFELD	Y
MR. SMITHERMAN	N
MR. WINBURN	N
MR. YOUNG	Y
MR. FLYNN	Y
MR. MANN	Y
MS. MURRAY	Y
MR. SEELBACH	Y
MS. SIMPSON	Y

ECONOMIC GROWTH & INFRASTRUCTURE COMMITTEE

Item #: 201500577

ORDINANCE (EMERGENCY) submitted by Harry Black, City Manager, on 4/29/2015, approving and authorizing the City Manager to execute a Community Reinvestment Area Tax Exemption Agreement with 3117 Southside Realty, LLC, thereby authorizing a 15-year tax exemption for 90% of the value of the improvements made to real property located at 3131 River Road in the neighborhood of

Sedamsville in Cincinnati in connection with the construction of an approximately 78,000 square foot manufacturing and warehousing facility located on such real property, which construction shall be completed at a total construction cost of approximately \$6,500,000.

Status/Recommendations:

PASS EMERGENCY

*** PASSED EMERGENCY 0101-2015

MR. SITTENFELD Y

MR. SMITHERMAN Y

MR. WINBURN Y

MR. YOUNG Y

MR. FLYNN Y

MR. MANN Y

MS. MURRAY Y

MR. SEELBACH Y

MS. SIMPSON Y

Item #: 201500439

RESOLUTION, submitted by Councilmember Yvette Simpson, URGING the Ohio General Assembly to pass legislation that would permit the City of Cincinnati to extend the InvestOhio program at the local level, thereby allowing the City to offer non-refundable municipal income tax credits to investors who invest in Cincinnati-based companies and are qualified to receive State tax credits under the InvestOhio program.

Status/Recommendations:

PASS

*** PASSED 0037-2015

MR. SITTENFELD Y

MR. SMITHERMAN Y

MR. WINBURN Y

MR. YOUNG Y

MR. FLYNN Y

MR. MANN Y

MS. MURRAY R

MR. SEELBACH Y

MS. SIMPSON Y

Item #: 201500440

RESOLUTION, submitted by Councilmember Yvette Simpson, EXPRESSING City Council's support for creating Benefit Corporations, or "B Corps," in Ohio and urging the Ohio General Assembly to promptly introduce and pass "Model Benefit Corporation" legislation, consistent with legislation passed in over half of the country, establishing this new form of corporate entity for the benefit of Ohio businesses and entrepreneurs.

Status/Recommendations:

PASS

*** PASSED 0038-2015

MR. SITTENFELD Y

MR. SMITHERMAN Y

MR. WINBURN Y

MR. YOUNG Y

MR. FLYNN Y

MR. MANN Y

MS. MURRAY R

MR. SEELBACH Y
MS. SIMPSON Y

Item #: 201500530

RESOLUTION (LEGISLATIVE) submitted by Harry Black, City Manager, on 4/22/2015, approving by legislative resolution the petition for adoption of the public improvement plan for the City of Cincinnati, Ohio Energy Special Improvement District.

Status/Recommendations:

PASS

*** PASSED 0039-2015

MR. SITTENFELD Y
MR. SMITHERMAN Y
MR. WINBURN Y
MR. YOUNG Y
MR. FLYNN Y
MR. MANN Y
MS. MURRAY Y
MR. SEELBACH Y
MS. SIMPSON Y

LAW & PUBLIC SAFETY COMMITTEE

Item #: 201500276

COMMUNICATION, dated 2/23/2015 submitted by Councilmember Simpson, from Chief Lester Stone, Cincinnati Private Police Association, regarding the City of Cincinnati not accepting renewals for commissioning of Cincinnati Special or Cincinnati Private Police Officers.

Status/Recommendations:

APPROVE & FILE

*** FILED

Item #: 201500386

COMMUNICATION, dated 01/21/2015 submitted by Councilmember Smitherman, from Richard G. Gibson, Assistant Prosecuting Attorney, Hamilton County Prosecutors Office Criminal Division, regarding "special/private" police officers.

Status/Recommendations:

APPROVE & FILE

*** FILED

Item #: 201500493

ORDINANCE, (EMERGENCY) submitted by Paula Boggs Muething, City Solicitor, on 4/13/2015, MODIFYING the provisions of Chapter 887, "Private Police" of the Cincinnati Municipal Code by amending Sections 887-2, "Application for Private Police Commission and License Fees," 887-5, "Term of Commission," 887-23, "Application for License- License Fees," and 887-27, "Term of License"; and REPEALING Chapter 887, "Private Police," of the Cincinnati Municipal Code effective March 13, 2016.

Status/Recommendations:

PASS EMERGENCY

*** INDEFINITELY POSTPONED

MR. SITTENFELD	Y
MR. SMITHERMAN	Y
MR. WINBURN	Y
MR. YOUNG	Y
MR. FLYNN	Y
MR. MANN	Y
MS. MURRAY	Y
MR. SEELBACH	Y
MS. SIMPSON	Y

TRANSPORTATION & REGIONAL COOPERATION COMMITTEE

Item #: 201500582

ORDINANCE, dated 04/28/2015 submitted by Harry Black, City Manager, AUTHORIZING the City Manager to apply for a Transportation Investment Generating Economic Recovery (TIGER) Grant (CFDA #20.933) from the United States Department of Transportation in an amount up to \$28,800,000 for the Wasson Way Commuter Trail Network project. (B-Version)

Status/Recommendations:

PASS

*** PASSED 0102-2015

MR. SITTENFELD	Y
MR. SMITHERMAN	Y
MR. WINBURN	Y
MR. YOUNG	Y
MR. FLYNN	Y
MR. MANN	Y
MS. MURRAY	Y
MR. SEELBACH	Y
MS. SIMPSON	Y

Item #: 201500488

REPORT, dated 4/15/2015, submitted by Harry Black, City Manager, regarding Cincinnati Streetcar - February 2015.

Status/Recommendations:

APPROVE & FILE

*** APPROVED & FILED